



HUNTON ANDREWS KURTH LLP  
200 PARK AVENUE  
NEW YORK, NY 10166-0005

TEL 212 • 309 • 1000  
FAX 212 • 309 • 1100

SHAWN PATRICK REGAN  
DIRECT DIAL: 212 • 309 • 1046  
EMAIL: sregan@HuntonAK.com

FILE NO: 128177.01

November 5, 2024

**Via ECF**

Hon. Kiyo A. Matsumoto, U.S.D.J.  
United States District Court for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Dowling v. Queens Ballpark, L.L.C., et al.*, 1:24-cv-07092-KAM-VMS

Dear Judge Matsumoto:

We represent Defendant Queens Ballpark, L.L.C., (“QBC”) in this action. We write on behalf of all counsel and pursuant to Your Honor’s Individual Rule II.A, to respectfully request Your Honor So Order the proposal below in the interest of judicial economy.

On October 31, 2024, Your Honor entered an Order that: (i) denied as moot Plaintiff’s request to file an Amended Complaint<sup>1</sup>; (ii) granted the parties’ request to extend the time to answer, move or otherwise respond to the First Amended Complaint to November 18, 2024; and (iii) denied the parties’ proposed briefing schedule for Defendant’s anticipated Motion to Dismiss, directing the parties to instead follow Your Honor’s Individual Rules with respect to a pre-motion conference.

Yesterday, Plaintiff filed a Corrected First Amended Complaint to address certain issues in the First Amended Complaint, to which Defendant consented. *See* Dkt. No. 12. The parties believe judicial economy will be furthered by the Court entering an Order setting forth their mutually agreeable schedule for (i) Defendant to respond to the Corrected First Amended Complaint (via a letter requesting a Pre-Motion Conference pursuant to your Individual Rule III.B) and (ii) Plaintiff’s response thereto. Doing so will avoid each party making individual extension requests due to conflicting professional and personal obligations of the respective counsel.

---

<sup>1</sup> As the Court noted, that aspect was moot because Plaintiff had filed his First Amended Complaint by the parties’ proposed deadline, which occurred before the case was assigned to Your Honor.

HUNTON  
ANDREWS KURTH

Hon. Kiyo A. Matsumoto, U.S.D.J.

Page 2

Accordingly, the parties respectfully request the Court So Order, the following schedule:

- November 22, 2024: Defendant's deadline to respond to the Corrected First Amended Complaint by filing its letter requesting a Pre-Motion Conference pursuant to Individual Rule III.B;
- December 6, 2024: Plaintiff's deadline to file a response letter pursuant to Individual Rule III.B.<sup>2</sup>

Respectfully submitted,



Shawn Patrick Regan

cc: All Counsel of Record (via ECF)

IT IS SO ORDERED.

\_\_\_\_\_  
Hon. Kiyo A. Matsumoto, U.S.D.J.

---

<sup>2</sup> Because this request concerns the pre-motion letters that will be directed to Your Honor, and because Your Honor addressed last week underlying issues related to the Pre-Motion Conference filings, counsel understood it appropriate to direct this letter to Your Honor pursuant to Individual Rule II. A, rather than to Magistrate Judge Scanlon per Individual Rule III. A.